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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/803,654

03/16/2004

Hsiang-Hua Chiu Huang

AMI-112

5998

7590

11/16/2006

Hsiang-Hua CHIU HUANG
P.O. Box 6-9
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EXAMINER

GROSSO, HARRY A

ART UNIT

PAPER NUMBER

3781

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,654

Applicant(s)

CHIU HUANG, HSIANG-HUA

Examiner

Harry A. Grosso

Art Unit

3781

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 1 recites "a metal base adhered under a lower side of the bottom of said body by means of high frequency". It is unclear what is intended and the specification does not provide any further description. Claims 2-4 are rejected as depending from claim 1.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "said post-like projection" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (7,104,413) in view of Kepner (6,419,111).

3. Regarding claim 1, Liu discloses a compound container with a body made of glass (14, Figure 1, column 2, lines 52-56), a metal ring made of stainless steel (11, column 2, lines 43-45 and lines 61-63) around an upper open end and a metal base (28, column 3, lines 35-37).

The examiner considers the phrase "by means of high frequency" to constitute a product by process limitation that does not materially affect structure.

Liu does not teach that the glass body is transparent. Kepner discloses a container with a glass body and further discloses the glass body is transparent (column 4, lines 30-33). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the use of a transparent glass body as disclosed by Kepner in the container disclosed by Liu to allow the contents of the container to be observable through the body.

4. Regarding claim 3, Liu discloses the base can have a shallow recess with an anti-slip sheet adhered therein (32, Figure 1, column 3, lines 45-58).

5. Regarding claim 4, the container of Liu is a cup.

6. Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu (2005/0103794, May 19, 2005) in view of Liu '413.

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7. Regarding claims 1 and 3, Liu discloses a compound container with a body made of plastic (82, Figure 4, paragraph 0030), a ring (81) around an upper open end and a base (50) with a recess and an anti-slip sheet (70, paragraph 0033)

Liu '794 does not teach the plastic body is transparent. Liu '413 disclose a compound container and further discloses compound containers may be made with transparent plastic bodies (column 1, lines 42-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the use of a transparent plastic body as disclosed by Liu '413 in the container disclosed by Liu '794 to make it possible to observe the contents of the container through the body.

Liu '794 does not teach the material used for the base. Liu '413 discloses a similar container with a metal base that provides protection against damage. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the use of a metal base as disclosed by Liu '413 in the container disclosed by Liu '794 to protect the container from damage.

Liu '794 does not teach the material used for the ring, however, Liu '794 does, in another embodiment, disclose the use of stainless steel for an insert that includes a ring around an upper open edge of the container because the stainless steel resists stains and is affordable. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the use of stainless steel for the ring around the upper open edge of the container because the stainless steel resists stains and is affordable.

8. Regarding claim 4, the container of Liu '794 is a cup.

9. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Liu '413 in view of Roche (2001/0022304, September 20, 2001). Liu discloses the invention except for the use of a post-like projection on the bottom of the body fitting into a multi-angled hole in the base but does disclose that various means of securing the ring and the base may be used. Roche discloses a container with a body that has a post (28, Figures 3-4) and a base (6) with a multi-angled hole (22, Figures 5-6) and the post is inserted in the hole to mount the base on the body (Figure 7, paragraphs 0049, 0089). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the use of a post on the body of the container and a base with a multi-angled hole as disclosed by Roche in the container disclosed by Liu '413 to provide a means for securing the base to the body and holding it in position that would not require any additional separate components.

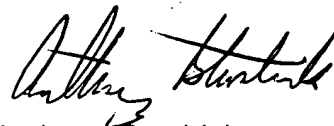
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry A. Grosso whose telephone number is 571-272-4539. The examiner can normally be reached on Monday through Thursday from 7am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on 571-272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Anthony Stashick
Supervisory Patent Examiner
Art Unit 3781

hag